



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL

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Federal Communications Commission
Office of Secretary

March 30, 1999

Al McCloud
Federal Communications Commission
Network Services Division
Room 235
2000 M Street, N.W.
Washington, D.C. 20554

CC Docket 96-98

Re: File No. NSD-L-99-19, Massachusetts Department of
Telecommunications and Energy's Petition for Waiver of Section
52.19 to Implement Various Area Code Conservation Methods in
the 508, 617, 781 and 978 Area Codes

Dear Mr. McCloud:

Enclosed please find one original and five copies of the Connecticut
Department of Public Utility Control comments filed in the above noted
proceeding.

Sincerely,

DEPARTMENT OF PUBLIC UTILITY CONTROL

Louise E. Rickard

Louise Rickard
Acting Executive Secretary

Enc.

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APR - 7 1999

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

In the Matter of)

Massachusetts Department of Telecommunications)
and Energy's Petition for Waiver of Section 52.19 to)
Implement Various Area Code Conservation Methods)
In the 508, 617, 781 and 978 Area Codes)

File No.
NSD-L-99-19

COMMENTS OF THE CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL

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COMMENTS OF THE CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL

I. Introduction

The Connecticut Department of Public Utility Control (CTDPUC) hereby files comments with the Federal Communications Commission (FCC or Commission) in the above noted proceeding in support of the Massachusetts Department of Telecommunications and Energy's (MDTE) Petition for Waiver of Section 52.19 (Petition). MDTE is seeking the ability or flexibility to implement area code conservation methods, many of which that have been adopted in other jurisdictions as a means of minimizing Massachusetts consumer confusion and expense associated with the introduction of new area codes for the second time in two years.

II. Discussion

On February 17, 1999, MDTE petitioned the Commission requesting that it waive the provisions of 47 C.F.R. Section 52.19(c)(3) and permit MDTE additional authority to implement various area code conservation measures in the 508, 617, 781, and 978 area codes in eastern Massachusetts. MDTE requested this waiver as part of its ongoing area code relief plan investigation for these area

codes. Specifically, MDTE requested that the Commission grant it the authority for the 508, 617, 781, and 978 area codes to: (1) reclaim unused and reserved exchange codes; (2) maintain the current central office code rationing measures for at least six months after implementation of all the area code relief plans; (3) revise rationing procedures; (4) hear and address claims of carriers seeking additional codes outside of the rationing plan; (5) set code allocation standards; (6) institute thousand number block pooling; (7) implement Extended Local Calling Areas; (8) implement Inconsistent Rate Centers; and (9) implement Unassigned Number Porting. Petition, p. 4.

CTDPUC supports the Petition and recommends that it be adopted by the Commission. MDTE has requested Commission authority to implement several area code conservation measures that it believes will minimize consumer confusion and expense associated with the introduction of new area codes. Approval of the Petition will permit MDTE to gather and investigate Massachusetts specific data as well as provide it with the ability to delay or implement new area codes, as necessary. The Commission should approve the Petition because MDTE is in a better position to determine what is in the best interests of the State of Massachusetts. MDTE in support of its Petition has provided overwhelming evidence demonstrating the inefficient use of NXX codes as indicated by its finding that there are more than 5 million available telephone numbers even though a jeopardy situation has been declared for the new 781 and 978 area codes. Petition, p. 6. Approval of the Petition will provide MDTE

with the ability to implement conservation measures and perhaps delay the introduction of new area codes.

CTDPUC notes that a number of MDTE's proposed conservation measures have already been adopted and are in use in other jurisdictions. For example, MDTE has requested Commission approval to maintain the current central office code rationing measures for the six months following the implementation of area code in relief in the Massachusetts area codes. The Commission has already granted a similar waiver in California. Petition, pp. 7 and 8. Similar to the waiver granted in Pennsylvania in September 1998, MDTE has also asked that it be provided with the ability to hear and address carrier request for additional exchange codes outside of the rationing plan until area code relief is implemented. Id., pp. 9 and 10. Similarly, MDTE has requested Commission approval to implement Extended Local Calling Areas (ELCA) that would permit wireline callers to call commercial mobile radio service end users anywhere in a specific geographic area without incurring a toll charge. According to the recent Number Resource Optimization Working Group Modified Report to the North American Numbering Council on Number Optimization Methods, ELCAs of this type have been deployed in multiple jurisdictions since the 1980s. Id., pp. 10 and 11. Lastly, MDTE has requested Commission approval to implement Unassigned Numbering Porting (UNP) in Massachusetts which based on its belief, has already been used with Lockheed approval. Id., pp. 11 and 12. These measures have been approved and implemented in various jurisdictions.

MDTE should be afforded the same opportunity to implement these measures as was afforded in those jurisdictions.

Finally, since a jeopardy situation has already been declared in Massachusetts, and MDTE has determined the manner in which the new area codes will be deployed, MDTE appears to be following the Commission's directives outlined in the September 28, 1998 Memorandum Opinion and Order, In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 312, 610, 215 and 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, FCC 98-224, NSD File No. L-97-42. Therefore, MDTE should be further provided with the ability to implement all the conservation methods requested in its Petition.

III. Conclusion

MDTE has offered the Commission several area code conservation measures, that if adopted as proposed, would provide MDTE with the ability to

slow the deployment of additional area codes and minimize the inconvenience, disruption and cost that is often associated with their implementation. The Petition is in the public interest and should be adopted.

Respectfully submitted,

CONNECTICUT DEPARTMENT OF PUBLIC
UTILITY CONTROL

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Vice-Chairman

Jack R. Goldberg
Commissioner


John W. Betkoski, III
Commissioner

Linda Kelly Arnold
Commissioner

March 30, 1999

Connecticut Department of
Public Utility Control
Ten Franklin Square
New Britain, CT 06051

CERTIFICATION



Miriam L. Theroux
Commissioner of the Superior Court

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

In the Matter of

Massachusetts Department of Telecommunications)
and Energy's Petition for Waiver of Section 52.19 to)
Implement Various Area Code Conservation Methods)
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File No.
NSD-L-99-19

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